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21 JUL 2006

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In re Application of	:	
NICHOLLS et al.	:	
Application No.: 10/530,502	:	DECISION ON PETITION
PCT No.: PCT/GB03/04288	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 02 October 2003	:	
Priority Date: 07 October 2002	:	
Attorney Docket No.: 101.057US/PCT	:	
For: A VESSEL HAVING TEMPERATURE	:	
MONITORING APPARATUS	:	

The petition to revive under 37 CFR 1.137(b) filed 12 July 2006 in the above-captioned application is hereby **DISMISSED** without prejudice as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

However, the declaration filed on 12 July 2006 is defective pursuant to 37 CFR 1.497(a)(3) which requires that the declaration "identify each inventor and the residence and country of citizenship of each inventor." Section 201.03 of the Manual of Patent Examining Procedure states, in part,

While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity . . . For example, where the inventive entity is A and B, a declaration may not be executed only by A naming only A as the inventor and a different declaration may not be executed only by B naming only B as the inventor . . .

Here, each inventor has executed a separate declaration which only identifies the particular inventor signing that declaration, which is improper. Thus, applicants are required to file a newly executed declaration which complies with 37 CFR 1.497(a) and (b).

The petition under 37 CFR 1.137(b) is **DISMISSED** without prejudice and international application no. PCT/GB03/04288 remains **ABANDONED**.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTH** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." No additional petition fee is required.

Any further correspondence with respect to this matter should be addressed to:  
Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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